

Israel and the UN

BY NORMAN F. DACEY

OUR MODERN WORLD is marked by man's frustrated search for union. In his more sober moments, he seeks to join his fellow man in peaceful plans and endeavors—motivated less, it must be acknowledged, by moral persuasion than by economic and political necessities which reflect an increased awareness of unprecedented interdependence.

Ineffective though it was, the League of Nations a half century ago exemplified men's desire for a peaceful coexistence. Today in the United Nations, 135 of the world's governments strive toward that same goal. If they have not achieved their dream, if the United Nations is something less than fully effective, no factor has contributed more to undermining its authority than Israel's continued and repeated defiance of its resolutions.

David Ben-Gurion set the stage for this strategy of defiance of world public opinion in an address to the Central Committee of the Israeli Workers' Party on January 8, 1948 when he said: "*We know of old that international verdicts can be upset. . . . Force of arms, not formal resolutions, will determine the issue (in Palestine).*"

Earlier, Theodor Herzl, the founder of modern political Zionism and of the State of Israel, wrote in his diary that the Zionist state would have to "*proceed cautiously, exploiting the enmities of the neighboring*

republics and preserving their friendship through presents, bribes, loans, etc." He estimated that 20 years of such preparations would be required, but "*gradually we shall get strong, grant ourselves everything that we need, and be able to defy everyone.*" Israel is now in its 27th year and, as Herzl predicted, it is now able to defy everyone.

The United Nations General Assembly and the Security Council have repeatedly condemned Israel for its violations of the UN Charter and of the Hague and Geneva Conventions. The Human Rights Commission has charged it with "war crimes." UNESCO has condemned its archaeological desecration of Jerusalem. The World Health Organization has condemned it and threatened to suspend its voting rights because of its refusal to abide by the Fourth Geneva Convention, which has also brought public criticism from the International Red Cross. The International Conference on Human Rights has cited its violations of human rights in the occupied territories. Amnesty International reported that its own investigations disclosed the existence of practices "abhorrent to the conscience of mankind." The Israeli League for Human and Civil Rights has repeatedly charged that Israel has ill-treated its own Arab citizens and the inhabitants of the occupied territories in flagrant violation of the Geneva Conventions.

In short, no government represented at the UN has been so universally condemned or has shown greater contempt for world opinion.

Expressions of Outrage

The "great powers" have repeatedly professed themselves to be outraged by

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Israel's acts. Typical was the reaction of the United Kingdom when the Security Council was debating its Resolution 228 on November 25, 1966 after the Israeli raid on the Jordanian town of Es-Samu! The British delegate indignantly described the raid as *"a flagrant violation of our Charter and of the Israel-Jordan Armistice Agreement which has done nothing to enhance the security of Israeli citizens or the reputation of Israel."* France intervened to *"condemn unequivocally the military action planned and carried out by the Israeli authorities. What is difficult to understand is that an attack which has proved to be so deadly was launched against a country which is respectful of its international obligations."* The representative of the Soviet Union declared that by its *"direct military attack on a densely-populated part of Jordan, Israel has flagrantly and brutally violated the most important provision of the United Nations and this alone deserves our condemnation."* It was, he said, an example of *"lawlessness and brigandage and an open and arrogant challenge to the Security Council."* The delegate of the United States condemned the raid as *"a clear violation of the solemn obligations undertaken by Israel in the General Armistice Agreement . . . the nature of which and whose consequences in human lives and in destruction far surpasses the cumulative total of the various acts of terrorism conducted against the frontiers of Israel."*

Similar strong condemnation has been voiced upon other occasions, the actions complained of being not isolated incidents but part of a pattern of persistent violation which pre-dates even Israel's acceptance into the UN membership. In the early months of 1948, those who were to proclaim, on May 14th of that year, the establishment of the State of Israel were already engaged in a series of military operations known as Plan Dalet, which was intended to frustrate the territorial division of Palestine contemplated by the United Nations and to win for Israel a greater area than had been assigned to it under the Partition Plan.

After Israel had become a member of the United Nations and had accepted all of the obligations of the Charter, it maintained the same pattern of militant aggression which had characterized its pre-state activities, proceeding from one offense to another with a ruthless disregard for international law and morality.

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It can reasonably be argued that since Israel obtained its statehood by misrepresenting to the United Nations that it would implement fully the terms of the partition resolution, specifically those terms designed to ensure the protection of the human and civil rights of the Arab population of the Jewish state-to-be, and since it gained its membership in the United Nations—a conditional membership, incidentally, unlike any other before or since—by falsely representing its willingness and intention to abide by the Charter and to be guided by determinations of the world body in arriving at solutions to such problems as refugee repatriation and compensation, the status of Jerusalem and the location of frontiers, it is not truly a *bona fide* member of the United Nations. A move to expunge its membership on the grounds of fraudulent application might therefore be in order.

Guilty of Charter Violations

Article 6 of the United Nations Charter provides for the expulsion of any Member State guilty of persistent violation of Charter obligations. Israel has been found guilty several hundred times of violation of the Charter, the Hague and Geneva Conventions, the resolutions of the General Assembly and Security Council, and the various armistice and cease-fire agreements.

Like the other Charter provisions, Article 6 was debated at length in San Francisco and was included in the final draft because all of the parties who met there after a world war in which millions perished were genuinely determined to draft a document which would outlaw military aggression. Recognizing the uselessness of promulgating a law without specifying the

punishment which would attend its violation, the drafting committee recommended the penalty for persistent violation—expulsion and ostracization. Its minutes noted its conclusion that *"a Member engaged in persistently violating the Charter . . . would be like a cancerous growth which it would be better to remove completely than to allow to remain in the body of the organization."*

Article 6 has never been invoked because, aside from Israel, no Member State has ever been found guilty of persistent aggression, of massacre and of plunder. In any consideration of the expulsion of Israel, then, there are no precedents that can be cited. This otherwise universal respect for the obligations of United Nations membership stands in stark contrast to the conduct of the State of Israel.

Actually, the idea of Israel's expulsion is not entirely unprecedented. When that country occupied the Egyptian Sinai in 1956 and refused to accede to the Security Council's demands that it withdraw, Assistant Secretary of State Herbert Hoover, Jr., sent a message to Foreign Minister Golda Meir raising the prospect of a broad-based movement in the United Nations to expel Israel.

But while the United Nations has yet to take formal action to expel Israel, an undercurrent of disenchantment with the Zionist state has found expression in the increasing ostracization, the moral excommunication, of Israel from international life. Many states have never had any diplomatic relations with Israel; of those who did extend recognition, 41 have since severed those ties. Still others who have not yet broken off relations have not troubled to hide an air of simple toleration. Israel has been refused admission to many regional conferences—at the Bandung Conference, for example, where more than half of the people of the earth were represented, Israel's participation was rejected. The enormous reservoir of international good will with which the Jewish state began its existence a quarter of a century ago has drained away. From positions of devoted enthusiasm, neutrality or just

disinterest, the nations of the world, one by one, have lost respect for Israel because of its conduct in breach of international law and its obvious lack of ethics. Away from the meeting rooms of the United Nations, then, the expulsion of Israel from the world community has been under way for some time.

Economic Sanctions Not Applied

The question remains of why Article 6 has never been formally invoked and why economic sanctions have not been applied. Even more inexplicable has been the financial aid and moral support which the United States has lavished upon Israel. Again and again, the Zionist leaders have expressed not simply their unwillingness to abide by the UN Charter and by such international laws as are represented by the Hague and Geneva Conventions, but also their scorn for the United Nations and all that it stands for in the world. General Dayan spoke for his colleagues when he said: "It is the attitude of the United States that matters, not decisions by the Security Council," (*LeMonde*, June 20, 1968). The United States responded by giving the State of Israel more American aid in the five and one-half years of the Nixon administration than had been provided by its predecessors over the entire previous 20 years. It cannot be denied that it was the moral and material support that it received from the United States that has encouraged Israel in its bold defiance of the United Nations. But aid, like charity, should be given only to those who display a decent respect for law. Charity donated to a wrongdoer ceases to be charity and becomes a factor in his crimes.

If this tiny renegade state can defy the United Nations with impunity, how can the world body hope to maintain its dignity and its authority to impose proper standards of conduct upon larger and more formidable states in some possible future confrontation with an aggressor? The UN Charter, like the Geneva Conventions, constitutes international law. Israel's violations of both have been on a massive scale. A law which cannot be enforced ceases to have

authority. There comes a time when the policeman must stop quoting the law to a street bully and start using his stick.

The United Nations has an economic stick which it can use to bring Israel to heel. It can call upon its members to bar their harbors and airports to Israeli craft, to ban the importation of Israeli goods and deny licenses for the export of their goods to the Jewish state. It can call for an embargo on the issuance of tourist visas to or from Israel, halting the traffic of people both ways. There is precedent in its sanctions against South Africa—and that state's crimes against the people of Namibia are not one-tenth those of Israel against the Palestinian people. Israel could not survive a single month of such isolation. In that month, the world body would recover the dignity of which Israel has stripped it by its overbearing contempt over the past quarter of a century, and we would all be spared the embarrassment of ever again having to watch while the Security Council warned Israel yet another time that if the Zionist state repeated its latest "*flagrant violation*" of international law, the United Nations would simply have to "*consider taking further measures.*"

Authority Eroded

It may be too late. Israel's scornful disregard of the world body may already have destroyed the United Nations. Israeli mocking of its authority may have hopelessly eroded that authority. The endless debates may hide a hollow shell. But surely the world has pinned too much of its hopes on the dream of an international fraternity resolved to outlaw war to let it be destroyed without a fight.

It is time now for it to take action against Israel. But what of those who have persisted in financing its aggression? A nation, like an individual, is known by the company it keeps. The "solid citizen" who is revealed as having provided a hold-up man with a pistol and a getaway car is no longer regarded as a solid citizen by the other members of the community. When his role is realized, he stands stripped of his aura of respectability and is placed on trial

as an accomplice. In 1956, Dwight Eisenhower told the world that nations should be judged not by who they were but by what they did. It is time for someone to stand up and say that the United States should be judged by its actions in support of an outlaw state. That is the unfortunate position to which a strident Zionist minority has brought this country.

Four decades ago, the League of Nations found itself faced with a series of territorial violations culminating in the Italian aggression against Ethiopia. It talked endlessly but shrank from application of the sanctions which would have given force to its words and deterred the aggressor. The world suddenly realized that the League was simply a debating society. Everyone packed up and went home, and the League lapsed into oblivion.

The United Nations has followed the same pattern. Were it not for Harry Truman's antipathy for Communism, there would have been no forceful United Nations action in Korea in 1950. Only Dwight Eisenhower's determined leadership in 1956 led the United Nations willy-nilly to take the firm stand it did against the tripartite invasion of Egypt.

The UN has now arrived at a fork in the road. It can re-assert its authority, backing its words with action, and thus recover the respect of the world community—and incidentally its own self-respect. Or it can take the other road which leads down, past the bleaching bones of a League of Nations that failed to meet the same challenge, to the same dishonor and oblivion. That oblivion will be deserved, for of what use is a United Nations which a small state like Israel can defy with impunity?

The world waits expectantly for meaningful negotiations to begin at Geneva which, hopefully, will lead to an end to the bloodletting in the Middle East. Now is the time for the United Nations to make clear to Israel that the world has had enough of the Zionist state's defiance, that it must now end its dissembling and meet without further argument the requirements of its UN membership—or cease to have standing as a Member State.